Attorney Docket No: 2003260-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

James E. Wright

Examiner:

Shahid Al Alam

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I hereby certify that this correspondence is being sent to the United States Postal Service via facsimile transmission to (703) 872-9306, on September 15, 2004.

Sir:

REQUEST FOR IMMEDIATE TRANSFER TO BOARD OF PATENT APPEALS AND **INTERFERENCES**

Applicant timely submitted an Appellant's Brief Under 37 C.F.R. § 1.192 in the abovereferenced application on April 30, 2004 (copy attached). This Brief was scanned and entered into the PAIR system as an Appeal Brief on May 5, 2004. No Examiner's Answer has been received in the ensuing four and a half months. Applicant submits that "such time as may be directed by the Director" (37 C.F.R. § 1.193(a)(1)) for sending such an answer has passed (MPEP 1208 ("The examiner should furnish the appellant with a written statement in answer to the appellant's brief within 2 months after the receipt of the brief by the examiner")), and requests that the application be immediately transferred to the Board of Patent Appeals for consideration of the appeal on the basis of Appellant's Brief.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

Elizabeth E. Nugent, Ph.D. Registration Number 43,839

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Dated: September 15, 2004
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